

RECEIVED

MAR 13 2018

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Transfer No. 82207

DEPT OF WATER RESOURCES  
SOUTHERN REGION

## MINIMUM REQUIREMENTS CHECKLIST

TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at <http://www.idwr.idaho.gov/>.

Name of Applicant(s) SUE ROTHER AND FRANCIS LIVINGSTON**Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.**Yes ☒ N/A ☐\*Means the item is always required and must be included with the application.

- ☒ \* Completed Application for Transfer of Water Right form, Part 1.
- ☒ \* Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ \* Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application
- ☒ \* Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ \* Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

**Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.**

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☒ ☐ #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner.
- ☒ ☐ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm>.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ \* #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.)
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Other. Please describe: \_\_\_\_\_

MAR 13 2018

DEPT OF WATER RESOURCES  
SOUTHERN REGION

# APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant SUE ROTHER Phone (208) 721-1143

Mailing Address 110 ELDERBERRY LN, BELLEVUE ID 83313 Email \_\_\_\_\_

Name of Applicant FRANCIS LIVINGSTON Phone (208) 721-1141

Mailing Address 110 ELDERBERRY LN, BELLEVUE ID 83313 Email \_\_\_\_\_

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☒ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☒ No Representative

Name of Representative \_\_\_\_\_ Phone \_\_\_\_\_

Mailing Address \_\_\_\_\_ Email \_\_\_\_\_

- ☐ Send all correspondence for this application to the representative and not to the applicant.
- OR
- ☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
- OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Sue Rother SUE ROTHER 03-09-18  
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

[Signature] Francis Livingston 3/9/18  
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

## A. PURPOSE OF TRANSFER

| 1.       | Right | Split | POD | POU | Add POD | Period of Use | Nature of Use |
|----------|-------|-------|-----|-----|---------|---------------|---------------|
| 37-2639B | Yes   | Yes   | No  | No  | No      | No            | No            |

## APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**

Application filed to split off a portion of water right 37-2639B that we own and change the point of diversion for this portion to an existing well on our property. Application will also update the ownership of our portion of the right involved in this application..

**B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT TO A SEPARATE SYSTEM, DESCRIBE PORTIONS TO BE CHANGED TO A SEPARATE SYSTEM AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.**

1. Detailed Water Right Description(s) Attached labeled Part 1.

**Summary of Water Rights After the Approved Change**

| Transferred<br>Right (All or<br>Part) | Transfer<br>Rate | Transfer<br>Volume | Acre Limit | Total Acres | Original<br>Right<br>(Remaining<br>Portion) | Remaining<br>Rate | Remaining<br>Volume | Remaining<br>Acre Limit | Remaining<br>Total Acres |
|---------------------------------------|------------------|--------------------|------------|-------------|---------------------------------------------|-------------------|---------------------|-------------------------|--------------------------|
| 37-23107                              | 0.130 cfs        | 11.6 af            | N/A        | 3.3         | 37-2639B                                    | 0.320 cfs         | 29.3 af             | N/A                     | 8.4                      |
| <b>COMBINED<br/>TOTALS</b>            | 0.130 cfs        | 11.6 af            | N/A        | 3.3         |                                             | N/A               | N/A                 | N/A                     | N/A                      |

2. Total amount of water proposed to be transferred or changed 0.13 cubic feet per second and/or \_\_\_\_\_ acre-feet per annum

3. Points(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
- ☒ As shown in Part 1.
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

4. Place of Use:

- ☐ No changes to place of use are proposed. (Proceed to #5.)
- ☒ As shown in Part 1.
- ☐ See Attachment.



**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1 Split Portion After Requested Changes**

**Proposed Water Right No. 37-23107**

**(Original Water Right No. 37-2639B )**

Current Water Right Owner

SUE ROTHER  
110 ELDERBERRY LN  
BELLEVUE, ID 83313

AND

FRANCIS LIVINGSTON  
110 ELDERBERRY LN  
BELLEVUE, ID 83313

Priority Date: 7/25/1966

Origin: Water Right

Basis: Decreed

Status Active

**Source: GROUND WATER**

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 04/01       | 11/01     | 0.130 CFS             | 11.6 AFA      |                    |
| Total Diversion       |             |           | 0.130 CFS             | 11.6 AFA      |                    |

**Source and Point(s) of Diversion:**

GROUND WATER

NENE

Sec. 35 Twp 02N Rge 18E BLAINE County

**Place of Use: IRRIGATION**

|     |     |     | NE  |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE  | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 02N | 18E | 35  | 3.3 |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 3.3    |

POU Total Acres: 3.3

APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future

Existing well on our property measuring device will be installed.

- b. Who owns the property at the point(s) of diversion

Applicants

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

No, ☒ If Yes, ☐

Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien:

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

no change

- e. Describe the use of any other water right(s) for the same purpose or land, or same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

- f. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

☐  
☐  
☐  
☐

☒  
☒  
☒  
☒

undergone a period of five or more consecutive years of non-use,  
currently leased to the Water Supply Bank,  
currently used in a mitigation plan limiting the use of water under the right, or  
currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2A**

**Current Water Right No. 37-2639B**

Current Water Right Owner  
BROADFORD POLO  
SUBDIVISION OWNERS  
ASSN  
LLOYD R BARNES  
206 POLO CLUB LN  
BELLEVUE, ID 83313

Priority Date: 7/25/1966

Origin: Water Right

Basis: Decreed

Status: Active

**Source: GROUND WATER**

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 04/01       | 11/01     | 0.450 CFS             | 40.9 AFA      |                    |
| Total Diversion       |             |           | 0.450 CFS             | 40.9 AFA      |                    |

**Source and Point(s) of Diversion:**  
GROUND WATER

NENE

Sec. 35 Twp 02N Rge 18E BLAINE County

**Place of Use:** IRRIGATION

|     |     |     | NE  |    |    |     | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|-----|----|----|-----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE  | NW | SW | SE  | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 02N | 18E | 35  | 5.3 |    |    | 6.4 |    |    |    |    |    |    |    |    |    |    |    |    | 11.7   |

POU Total Acres: 11.7

**Conditions/Remarks:**

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
2. Right Nos. 37-2639B and 37-21616 are limited to the irrigation of a combined total of 11.7 acres in a single irrigation season.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

# APPLICATION FOR TRANSFER OF WATER RIGHT

## PART 2B

☒ Complete and attach one copy of **Part 2B** for each right for which only a portion is proposed to be changed.

[illegible][illegible]

Transfer No. 82207

## APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

☒

If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

□

☒

Right 37-21616 is placed in the water supply bank through 2020 and is not usable.

Transfer No. 82207

Order No. 20500

## WARRANTY DEED

FOR VALUE RECEIVED

Verna R. Harrah, As Trustee Of The Verna R. Harrah Trust Dated September 5, 1986

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

Francis Livingston, an unmarried man as to an undivided 1/2 Interest and Sue Rother, an unmarried woman as to an undivided 1/2 Interest

GRANTEE(s) whose address is: 6230 East Surrey Drive, Cave Creek, AZ 85331

the following described real property in Blaine County, Idaho, to wit:

Lots 1 & 2 in Block 3 of BROADFORD POLO SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 266544, records of Blaine County, Idaho.

Subject To: Taxes, easements, restrictions and encumbrances of record.

TO HAVE AND TO HOLD said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: November 30, 1994

Verna R. Harrah, Trustee  
Verna R. Harrah, Trustee

## CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of CALIFORNIA

County of LOS ANGELES

On 11/30/94 before me, ROLANDO P. RAMIREZ

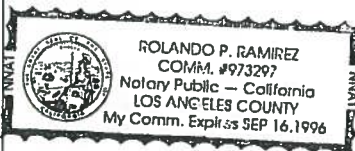
DATE

NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared VERNA R. HARRAH

NAME(S) OF SIGNER(S)

☒ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person (s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

SIGNATURE OF NOTARY

OPTIONAL SECTION

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:

TITLE OR TYPE OF DOCUMENT WARRANTY DEED

NUMBER OF PAGES 9 DATE OF DOCUMENT NOVEMBER 29, 1994

SIGNER(S) OTHER THAN NAMED ABOVE NONE

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

### OPTIONAL SECTION

#### CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

☐ INDIVIDUAL

☐ CORPORATE OFFICER(S)

TITLE(S)

☐ PARTNER(S) ☐ LIMITED

☐ GENERAL

☐ ATTORNEY-IN-FACT

☒ TRUSTEE(S)

☐ GUARDIAN/CONSERVATOR

☐ OTHER: \_\_\_\_\_

#### SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)  
THE VERNA R. HARRAH TRUST

DATED SEPTEMBER 5, 1986

**TRANSFER**  
**82207**



SWSE

SESE

26

SWSW 3 25

Place of Use

New Point of Diversion  
(Existing Well)

NWNE  
02N18E

NENE

NWNW 2

35

36

SWNE

SENE

SWNW 3

**TRANSFER 82207**

The USDA-FSA Aerial Photography Field office asks to be credited in derived products.

## Maline, Denise

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**From:** Maline, Denise  
**Sent:** Friday, March 30, 2018 9:17 AM  
**To:** Kevin Lakey (WD 37); Cyndi WD37  
**Subject:** Comment Letter for Sue Rother & Francis Livingston  
**Attachments:** Transfer 82207 (Rother & Livingston).pdf; Comment letter to WD37 for 82207.docx

Good morning,

Attached is an application for transfer currently being processed within your district. Please review the information and provide any necessary comments within 21 days.

Thank you & have a good weekend,

Denise @ IDWR

*Denise Maline*  
*Administrative Assistant*  
*Idaho Dept of Water Resources, Southern Region*  
*650 Addison Ave W, Ste 500*  
*Twin Falls, ID 83301*  
*(208) 736-3033*  
[\*denise.maline@idwr.idaho.gov\*](mailto:denise.maline@idwr.idaho.gov)



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

SOUTHERN REGION • 650 ADDISON AVE W STE 500 • TWIN FALLS ID 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

March 30, 2018

WATER DISTRICT #37  
KEVIN LAKEY  
107 W 1<sup>ST</sup> ST  
SHOSHONE ID 83352

*via e-mail*

RE: Transfer No. 82207  
Water Right No(s): 37-2639B

Dear Kevin:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the water master, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

  
Denise Maline  
Administrative Assistant

Enclosure(s)



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

SOUTHERN REGION • 650 ADDISON AVE W STE 500 • TWIN FALLS ID 83301-5858

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C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

March 29, 2018

SUE ROTHER  
FRANCIS LIVINGSTON  
110 ELDERBERRY LN  
BELLEVUE, ID 83313

RE: Transfer No. 82207  
Water Right No(s). 37-2639B

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the **IDAHO MOUNTAIN EXPRESS** on **4/4/2018** and **4/11/2018**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **April 23, 2018**.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

  
Denise Maline  
Administrative Assistant

## Maline, Denise

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**From:** Maline, Denise  
**Sent:** Thursday, March 29, 2018 12:06 PM  
**To:** Idaho Mountain Express  
**Subject:** LEGAL NOTICE  
**Attachments:** Idaho Mtn Express cover letter.docx; Idaho Mtn Express ad.doc

Attached please find (1) legal notice being submitted for publication on April 4<sup>th</sup> & 11<sup>th</sup>, 2018. Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise

*Denise Maline*

*Administrative Assistant*

*Idaho Dept of Water Resources, Southern Region*

*650 Addison Ave W, Ste 500*

*Twin Falls, ID 83301*

*(208) 736-3033*

*[denise.maline@idwr.idaho.gov](mailto:denise.maline@idwr.idaho.gov)*



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

**SOUTHERN REGION • 650 ADDISON AVE W STE 500 • TWIN FALLS ID 83301-5858**

**Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)**

**C.L. "BUTCH" OTTER**  
Governor

**GARY SPACKMAN**  
Director

March 29, 2018

**LEGAL NOTICE DEPARTMENT**  
IDAHO MOUNTAIN EXPRESS  
PO BOX 1013  
KETCHUM, ID 83340

RE: Transfer No. 82207  
Water Right No(s): 37-2639B

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before April 23, 2018. Your cooperation is appreciated.

Sincerely,

Denise Maline  
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT  
TRANSFER NO. 82207**

SUE ROTHER and FRANCIS LIVINGSTON, 110 ELDERBERRY LN, BELLEVUE, ID 83313; has filed Application No. 82207 for changes to the following water rights within BLAINE County(s): Right No(s). 37-2639B; to see a full description of these rights and the proposed transfer, please see [www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx](http://www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx) . The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the point of diversion (POD) for a portion (0.13 cfs and 3.3 acres) of an irrigation ground water right which currently authorizes 0.45 cfs for irrigation of 11.7 acres. The current POD is located approximately 0.5 mile west and 0.16 mile north of the Broadford Rd. and Highway 75 intersection in Bellevue. The proposed POD is an existing well located approximately 350 feet south of the current POD.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 ADDISON AVE W STE 500, TWIN FALLS ID 83301-5858 together with a protest fee of \$25.00 for each application on or before **April 23, 2018**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director  
Published on April 4<sup>th</sup> & 11<sup>th</sup>, 2018

## MEMORANDUM

**Date:** March 28, 2018

**To:** Transfer 82207

**From:** Kent Aasa

**Re:** Fee Memo

Filing fees charged for transfer application 82207 were based on the current transfer fee schedule and include \$200.00 for the 0.13 cfs being transferred in the application and \$100.00 for the ownership change/split (Receipt No.S036630).

## MEMORANDUM

**Date:** March 28, 2018

**To:** Transfer 82207

**From:** Kent Aasa

**Re:** Synopsis Memo

Application for transfer proposes to change the point of diversion (POD) for a portion (0.13 cfs and 3.3 acres) of an irrigation ground water right which currently authorizes 0.45 cfs for irrigation of 11.7 acres. The current POD is located approximately 0.5 mile west and 0.16 mile north of the Broadford Rd. and Highway 75 intersection in Bellevue. The proposed POD is an existing well located approximately 350 feet south of the current POD. The place of use and the point of diversion are in Water District 37 so watermaster comments will be solicited.